

**REMARKS**

This Amendment is responsive to the Final Office Action dated September 24, 2004. The claim amendments included herein are merely clarifying amendments and are not meant to change the intended scope of the claims. Thus, the amendments present the rejected claims in better form for consideration on appeal, and should be entered in due course. Moreover, the amendments are manifest, requiring only a cursory review by the Examiner, thereby providing additional ground for their entry.

Claims 1-40 were pending in the application. In the Office Action, claims 1-40 were rejected. In this Amendment, claims 1, 4, 39 and 40 have been amended and claim 5 has been canceled. Claims 1-4 and 6-40 thus remain for consideration.

Applicants submit that claims 1-4 and 6-40 are in condition for allowance and request reconsideration and withdrawal of the rejections in light of the following remarks.

**§103 Rejections**

Claims 1-3, 26, 33, 39 and 40 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyao et al. (U.S. Patent No. 6,466,237) in view of Watanabe et al. (U.S. Patent No. 5,717,848).

Claims 4, 5, 7-10, 12, 15, 17-19, 25, 27 and 35-38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyao et al. in view of Microsoft PowerPoint.

Claim 28 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyao et al. in view of Watanabe et al. and further in view of Schuetze et al. (U.S. Patent No. 6,598,054).

Claims 29 and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyao et al. in view of Watanabe et al. in view of Schuetze et al. as applied to claim 28 and further in view of Jeong et al. (U.S. Patent No. 6,256,027).

Claim 31 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyao et al. in view of Watanabe et al. and further in view of Mills et al. (U.S. Patent No. 6,599,147).

Claim 32 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyao et al. in view of Watanabe et al. in view of Mills et al. as applied to claim 31 and further in view of Fujisawa et al. (U.S. Patent No. 5,021,989).

Claim 34 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyao et al. in view of Watanabe et al. and further in view of Leah et al. (U.S. Patent No. 5,808,601).

Claims 20, 22 and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyao et al. in view of Watanabe et al. in view of Microsoft PowerPoint as applied to claim 4 and further in view of Microsoft Windows Explorer.

Claim 21 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyao et al. in view of Watanabe et al. in view of Microsoft PowerPoint as applied to claim 4 and further in view of Microsoft Windows Explorer as applied to claim 20 and further in view of Microsoft Excel.

Claim 11 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyao et al. in view of Watanabe et al. in view of Microsoft PowerPoint as applied to claim 10 and further in view of Sommers et al. (U.S. Patent No. 5,940,076).

Claim 13 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyao et al. in view of Watanabe et al. in view of Microsoft PowerPoint as applied to claim 12 and further in view of Abraham et al. (U.S. Patent No. 5,317,306).

Claim 16 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyao et al. in view of Watanabe et al. in view of Microsoft PowerPoint as applied to claim 15 and further in view of Gagne et al. (U.S. Patent No. 5,731,819).

Claims 6, 14 and 24 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants respectfully submit that the independent claims (claims 1, 39 and 40) are patentable over Miyao, Watanabe, Microsoft PowerPoint, Schuetze, Jeong, Mills, Fujisawa, Leah, Microsoft Windows Explorer, Microsoft Excel, Sommers, Abraham and Gagne.

Applicants' invention as recited in the independent claims is directed toward a device and method for managing data objects and to a program storage medium for storing a program used for managing data objects. Each of the claims recites displaying thumbnails representative of the data objects. Each of the claims further recites "a user is permitted to browse through the displayed thumbnails while remaining data objects are being loaded." Supporting disclosure can be found in the specification at, for example, page 17, lines 2-7.

Miyao, Watanabe, Microsoft PowerPoint, Schuetze, Jeong, Mills, Fujisawa, Leah, Microsoft Windows Explorer, Microsoft Excel, Sommers, Abraham and Gagne do not disclose "a user is permitted to browse through the displayed thumbnails while remaining data objects are being loaded," as instantly claimed. Accordingly, Applicants believe that claims 1, 39

and 40 are patentable over Miyao, Watanabe, Microsoft PowerPoint, Schuetze, Jeong, Mills, Fujisawa, Leah, Microsoft Windows Explorer, Microsoft Excel, Sommers, Abraham and Gagne – taken either alone or in combination – on at least this basis.

Furthermore, since dependent claims inherit the limitations of their base claims, dependent claims 2-38 are believed to be patentable over Miyao, Watanabe, Microsoft PowerPoint, Schuetze, Jeong, Mills, Fujisawa, Leah, Microsoft Windows Explorer, Microsoft Excel, Sommers, Abraham and Gagne for at least the same reasons discussed in connection with the independent claims 1, 39 and 40.

Regarding claim 4, Applicants submit that Miyao does not disclose that “the indicia include a plurality of layout indicia each representing one of a plurality of layouts, the displaying means displaying the thumbnails in relative positions, and the moving means shows moving the thumbnails to the position, in accordance with the layout indicium selected by the selection means.” Indeed, Miyao’s column 42, lines 65-68 discloses “a thumbnail display member that may include a second arrangement specifying section for arranging the thumbnail files on a display screen,” which is not the same as moving the thumbnails in accordance with a layout indicium selected by a selection means, as instantly claimed.

Applicants submit that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather,

these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Statements appearing above with respect to the disclosures in the cited references represent the present opinions of the Applicants' undersigned attorney and, in the event that the Examiner disagrees with any such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the respective reference providing the basis for a contrary view.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,

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